United Nations ST/AI/2010/4*

Secretariat

27 April 2010

Administrative instruction

Administration of temporary appointments

The Under-Secretary-General for Management, pursuant to section 4.2 of Secretary-General's bulletin ST/SGB/2009/4, and for the purpose of establishing terms and conditions pertaining to the use and administration of temporary appointments in accordance with staff rule 4.12, hereby promulgates the following:

Section 1
General

1.1 The purpose of the temporary appointment is to enable the Organization to effectively and expeditiously manage its short-term staffing needs. Such short-term needs were defined by the General Assembly in its resolution 63/250 as "seasonal or peak workloads and specific short-term requirements for less than one year". Such temporary appointments "could be renewed for up to one additional year when warranted by surge requirements and operational needs related to field operations and special projects with finite mandates". This definition sets the criteria for the use of temporary appointments in terms of both need and duration. Procedures have been designed to allow for an expedited recruitment process while ensuring transparency and a competitive selection process.

1.2 In accordance with staff rule 4.12 (c), a temporary appointment does not carry any expectancy, legal or otherwise, of renewal and shall not be converted to any other type of appointment.

Section 2
Use and duration of temporary appointments

2.1 Pursuant to staff rule 4.12 (a), a temporary appointment may be granted for a single or cumulative period of less than one year to meet seasonal or peak workloads and specific short-term requirements and shall have an expiration date specified in the letter of appointment.

2.2 A temporary appointment may be granted for specific short-term requirements that are expected to last for less than one year at the time of the staff member's appointment, such as:

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(a) To respond to an unexpected and/or temporary emergency or surge demand involving, for example, a natural disaster, conflict, violence or similar circumstances;

(b) To meet a seasonal or peak work requirement of limited duration that cannot be carried out by existing staff members;

(c) To temporarily fill a position whose incumbent is on special leave, sick leave, maternity or paternity leave or on assignment to a peacekeeping or special political mission;

(d) To temporarily fill a vacant position pending the finalization of the regular selection process;

(e) To work on a special project with a finite mandate.

2.3 A temporary appointment shall not be used to fill needs that are expected to last for one year or more.

2.4 In the case of staff members governed by the Association internationale des traducteurs de conférence (AITC) and the Association internationale des interprètes de conférence (AIIC) agreements, a temporary appointment may be granted for a maximum of 729 days within a 27-month period at the same duty station.

Extension of a temporary appointment and successive temporary appointments within a period of 364 days

2.5 Subsequent to the initial temporary appointment:

(a) A temporary appointment may be extended in the same office for a continuous period not exceeding 364 calendar days; or

(b) New temporary appointments may be granted for service in the same office or in a different office any number of times, for any duration, provided that the cumulative length of service does not exceed the period of 364 calendar days.

The period of 364 days shall be counted either starting from the first day of service under the initial temporary appointment or from the first day of service following the mandatory break in service as set out in section 14 below.

Section 3
Selection process for the granting of a temporary appointment

Temporary vacancy announcement

3.1 When a need for service for more than three months but less than one year is anticipated, a temporary vacancy announcement shall be issued by the programme manager.

3.2 While the decision to issue a temporary vacancy announcement for a temporary appointment of less than three months is made at the discretion of the programme manager, any extension of three months or more shall require the issuance of a temporary vacancy announcement.

3.3 The selected candidate should be offered a temporary appointment unless he/she already holds another type of appointment, such as a fixed-term or permanent appointment.

3.4 The temporary vacancy announcement shall include a description of the qualifications, skills and competencies required and reflect the functions of the post, using to the greatest possible extent the database of generic job profiles maintained by the Office of Human Resources Management. Each temporary vacancy announcement shall indicate the date of posting and specify a deadline by which all applications must be received.

3.5 Temporary vacancy announcements shall be posted for a minimum of one week on the Intranet or be circulated by other means, such as e-mail, in the event that an Intranet is not available at the duty station concerned. A temporary vacancy announcement may also be advertised externally if deemed necessary and appropriate.

Evaluation and selection

3.6 A candidate's suitability for the position shall be assessed through interviews and/or other appropriate evaluation mechanisms, such as written tests or other assessment techniques. Following a competitive process, the head of department/office/mission shall make the selection decision.

3.7 At the time of review, the head of department/office/mission shall be required to take into account the candidate's eligibility to be appointed. A candidate who has been previously employed on a temporary appointment and who has reached the maximum authorized duration under a temporary appointment in an entity that applies the United Nations Staff Regulations and Rules, shall not be granted a new temporary appointment unless the requirement for a break in service specified in section 14 below has been met.

Letter of appointment

3.8 When a candidate has been selected and has obtained the required clearances, he/she shall be issued a letter of appointment upon entry on duty. The letter of appointment shall contain, expressly or by reference, the terms and conditions of employment and details on his/her entitlements.

Section 4
Fitness for duty

4.1 In order to determine a candidate's fitness to assume the assigned functions, he/she shall be medically cleared prior to the issuance of the letter of appointment. For this purpose, a candidate who has been offered a temporary appointment may be required by the Secretary-General to undergo such medical examinations and receive such inoculations as may be required by the United Nations Medical Director or medical officer designated by the United Nations Medical Director.

4.2 The following minimum requirements shall apply for recruitment under a temporary appointment:

Temporary appointments of less than six months

(a) A candidate who has been offered a temporary appointment of less than six months shall, unless requested to undergo a full medical examination pursuant to section 4.1 above, submit a medical certificate by a licensed medical practitioner stating that he/she is physically fit to perform the assigned functions.

Temporary appointments of more than six months

(b) A candidate who has been offered a temporary appointment of six months or more, or whose shorter appointment upon extension will reach six months or more, is required to satisfy the United Nations Medical Director or medical officer designated by the United Nations Medical Director, by medical examination, that he/she is medically fit to perform the assigned functions and is free from any ailment likely to impair the health or safety of others.

Section 5
Eligibility

5.1 A staff member holding a temporary appointment shall be regarded as an external candidate when applying for other positions, and may apply for other positions at any level, subject to section 5.2 below.

5.2 A staff member holding a temporary appointment who is recruited in the Professional and higher categories on a position authorized for one year or more may not apply for or be reappointed to his/her current position within six months of the end of his/her current service if the position is advertised through the established procedures and will result in a fixed-term appointment following review by the central review bodies. This provision does not apply to staff members holding temporary appointments and serving in positions authorized for one year or more in peacekeeping operations or special political missions.

5.3 Interns, consultants, individual contractors and gratis personnel may not apply for or be appointed to any position in the Professional and higher categories or positions at the FS-6 and FS-7 levels in the Field Service category within six months of the end of their current or most recent service. This restriction does not apply to associate experts (Junior Professional Officers) appointed under the Staff Rules.

5.4 United Nations Volunteers may not be appointed to positions in the mission in which they last served within six months following completion of their service with the United Nations Volunteers programme. United Nations Volunteers who have served less than 12 months are not eligible for appointment in a peacekeeping operation or special political mission, unless a period of six months has elapsed following completion of their service as a United Nations Volunteer. United Nations Volunteers who resign may not be appointed to a position in a peacekeeping operation or special political mission within six months following the date of their resignation.

Section 6
Performance evaluation

6.1 At the end of the temporary appointment, regardless of duration, the programme manager shall issue a performance evaluation on a standard performance evaluation form for staff members holding temporary appointments. The form should state what was expected of the staff member and whether the staff member and the supervisor discussed those expectations. Signed hard copies of the standard performance evaluation form shall be included in the official status file of the staff member concerned.

6.2 A staff member who disagrees with the performance rating given at the end of his/her temporary appointment may, within seven days of signing the completed performance appraisal form, submit a written explanatory statement to the respective Executive Office at Headquarters, or to the Chief of Administration elsewhere. The performance appraisal form and the explanatory statement shall become part of the official status file of the staff member.

Section 7
Salaries and related allowances

7.1 The salary and step in grade on appointment shall be determined in accordance with established grading guidelines.

7.2 A staff member who holds a temporary appointment shall be eligible for payment of salary at the dependency rate and/or dependency allowance as appropriate, in accordance with the conditions specified in staff rule 3.6 and staff regulation 3.4 (a).

7.3 A staff member who holds a temporary appointment serving in posts subject to international recruitment as defined in staff rule 4.5 may be eligible for the following allowances in accordance with the applicable staff rules and the conditions specified in the present administrative instruction:

(a) Salary increments pursuant to staff rule 3.3;

(b) Post adjustment and rental subsidy pursuant to staff rule 3.7 (a) and (d);

(c) Hardship allowance pursuant to staff rule 3.14;

(d) Hazard-duty pay in accordance with paragraph 3 of part VI of General Assembly resolution 51/216.

7.4 A staff member who holds a temporary appointment serving in posts subject to local recruitment as defined in staff rule 4.4 may be eligible for the following allowances in accordance with the applicable staff rules and the conditions specified in the present administrative instruction:

(a) Salary increment pursuant to staff rule 3.3;

(b) Overtime and compensatory time off pursuant to staff rule 3.11;

(c) Night differential pursuant to staff rule 3.12;

(d) Hazard-duty pay in accordance with paragraph 3 of part VI of General Assembly resolution 51/216.

Section 8
Annual and special leave

Annual leave

8.1 A staff member who holds a temporary appointment shall accrue annual leave while in full pay status at the rate of one and a half days per month in accordance with staff rule 5.1 (a). Upon separation, pursuant to staff rule 9.9 and subject to staff rule 4.17 (b), any accrued annual leave not utilized by the end of the temporary appointment may be commuted in a sum of money for the period of such accrued annual leave up to a maximum of 18 working days.

8.2 When service commences after the first working day of a month, one day shall be credited when service begins on or before the sixteenth day; a half day shall be credited when service begins thereafter. When service ends before the last working day of the month, a half day shall be credited for service ending on or before the fifteenth day; one day shall be credited when service ends thereafter.

Special leave in exceptional circumstances

8.3 Staff members holding a temporary appointment may exceptionally be granted special leave, with full or partial pay or without pay, for compelling reasons for such period as the Secretary-General deems appropriate pursuant to staff rule 5.3.

Section 9
Social security

United Nations Joint Staff Pension Fund

9.1 A staff member whose appointment is for six months or more or who completes six months of service under shorter appointments without an interruption of more than 30 calendar days shall become a participant in the United Nations Joint Staff Pension Fund, provided that his/her letter of appointment does not exclude his/her participation, pursuant to staff rule 6.1.

Sick leave

9.2 A staff member who holds a temporary appointment shall accrue sick leave at the rate of two working days per month in accordance with staff rule 6.2. A staff member may be granted the full entitlement of the sick leave for the duration of the appointment at any point in time during his/her appointment. In cases where a staff member is on certified sick leave at the date of expiration of his or her temporary appointment, the appointment shall be exceptionally extended for the purpose of exercising the unused portion of the certified sick leave entitlement within the staff member's accrued sick leave entitlement as approved on the contract expiration date. No further extension of sick leave shall be provided, and the extension does not give rise to any other benefits or entitlements.

9.3 A staff member who holds a temporary appointment shall be entitled to uncertified sick leave subject to the maximum entitlement for sick leave pursuant to staff rule 6.2.

Maternity leave

9.4 A staff member who holds a temporary appointment is entitled to maternity leave pursuant to staff rule 6.3. In cases where maternity leave has started prior to the end of the temporary appointment but has not been completed, the appointment of the staff member will be exceptionally extended for the purpose of exercising the unused portion of the maternity leave entitlement. The appointment shall not be extended beyond the period of the maternity leave entitlement and the extension does not give rise to any other benefits or entitlements.

Paternity leave

9.5 A staff member who holds a temporary appointment is entitled to paternity leave upon completion of six months of continuous service, and when the staff

member is expected by the Secretary-General to continue in service for at least three months upon return from paternity leave.

9.6 The leave may be taken either continuously or in separate periods during the year following the birth of the child, provided it is completed during that year and within the duration of the contract. The appointment shall not be extended solely in order to exercise the unused portion of the paternity leave.

Compensation for service-incurred injury, illness or death

9.7 A staff member who holds a temporary appointment shall be entitled to compensation in the event of death, injury or illness attributable to the performance of official duties on behalf of the United Nations, in accordance with the rules set forth in appendix D to the Staff Rules.

Death benefits

9.8 Where a staff member dies in the course of service, a lump sum shall be paid to the surviving spouse and/or dependent children, to be divided equally among these beneficiaries, pursuant to staff rule 9.11.

Compensation for loss of or damage to personal effects attributable to service

9.9 A staff member who holds a temporary appointment shall be entitled, within the limits and under terms and conditions established by the Secretary-General, to reasonable compensation in the event of loss or damage to his/her personal effects determined to be directly attributable to the performance of official duties on behalf of the United Nations, pursuant to staff rule 6.5.

Section 10
Medical insurance

10.1 A staff member who holds a temporary appointment of less than three months is entitled to enrol him/herself only in the short-term health insurance scheme applicable at the relevant duty station. If such appointment is subsequently extended for a cumulative duration of three months or more, the staff member may enrol him/herself and his/her eligible family members in a medical plan offered by the Organization starting from the first day of the extension of the appointment or from the first day of the following month.

10.2 A staff member who holds a temporary appointment of three months or more may enrol him/herself and eligible family members in a medical plan offered by the Organization starting from the first day of that appointment or from the first day of the following month.

10.3 A candidate requesting exemption from participation in a medical insurance scheme provided by the United Nations shall be required to certify that he/she has secured coverage generally equivalent to United Nations coverage.

Section 11
Travel-related entitlements

11.1 A staff member who holds a temporary appointment serving in posts subject to international recruitment as defined in staff rule 4.5 shall be eligible for the

following travel-related entitlements in accordance with the applicable staff rules and the conditions specified in the present administrative instruction:

(a) The daily subsistence allowance portion of the assignment grant in accordance with staff rule 7.14 (d);

(b) Travel expenses pursuant to staff rule 7.1 and excess baggage entitlement pursuant to staff rule 7.15, for the staff member only, as applicable;

(c) Unaccompanied shipment pursuant to staff rule 7.15 (h) (i) for the staff member only, as applicable. The relocation grant option shall be available;

(d) Travel authorized for medical, safety or security reasons pursuant to staff rule 7.1 (a) (i) (e), as applicable.

Section 12
Staff members serving under a when-actually-employed contract

12.1 A staff member who holds a temporary appointment and who is serving under a when-actually-employed contract is not entitled to annual, special or sick leave, maternity or paternity leave, shipment or assignment grant upon appointment, dependency or other benefits or allowances except as provided in the administrative issuance pertaining to the when-actually-employed scheme.

Section 13
Staff members governed by the agreements of the Association internationale des traducteurs de conférence and the Association internationale des interprètes de conférence

13.1 A staff member who holds a when-actually-employed contract under a temporary appointment and is governed by the agreements established with AITC and AIIC is entitled to the conditions of service, allowances and benefits set out in such agreements. Where the AITC and AIIC agreements are silent, the provisions of this administrative instruction shall apply. In cases where the AITC and AIIC agreements are inconsistent with the provisions of this administrative instruction, the provisions of the AITC and AIIC agreements shall prevail.

Section 14
Successive temporary appointments

14.1 Upon reaching the limit of service under one or under several successive temporary appointments within a period of 364 days as set out under section 2 above or, exceptionally, 729 days under section 15 below, the staff member shall be required to have a break in service of a minimum of three months before being eligible for appointment to a new temporary position or for recruitment as a consultant or individual contractor in the same duty station within entities that apply the United Nations Staff Regulations and Rules, and shall be required to have a break in service of a minimum of 31 days if the new appointment or recruitment as a consultant or individual contractor is in a different duty station within entities that apply the United Nations Staff Regulations and Rules.

Entitlements to travel, shipment and subsistence allowance for successive temporary appointments within the same duty station

14.2 A staff member who is offered successive temporary appointments subject to international recruitment, as defined in staff rule 4.5, within the same duty station shall be entitled to the following:

(a) If the successive temporary appointments are within the same department/office at the same duty station, payment of travel expenses for the staff member pursuant to staff rule 7.1 (a) (i) only shall be authorized no more than once within a 12-month period. If the successive appointments are in different departments/offices at the same duty station, additional travel shall be paid if there is a break in service of three months or more;

(b) Unaccompanied shipment entitlement applicable to the temporary appointment shall be payable only when there is a break in service of three months or more;

(c) Daily subsistence allowance portion of the assignment grant, pursuant to staff rule 7.14 (b) (i): if the successive temporary appointments are within the same department/office, the staff member shall be entitled to payment of the daily subsistence allowance once within a 12-month period. If the successive appointments are in different departments/offices at the same duty station, the daily subsistence allowance shall be payable if there is a break in service of three months or more;

(d) Travel, unaccompanied shipment and the daily subsistence allowance portion of the assignment grant shall not be paid, in any case, to a staff member who, upon initial appointment with the Organization, did not travel at the United Nations expense because he/she was recruited at the duty station or within commuting distance from the duty station.

Section 15
Exceptional extension of a temporary appointment beyond the period of 364 days[1]

15.1 A temporary appointment may exceptionally be extended beyond 364 days under the following circumstances:

(a) Where a temporary emergency or a surge requirement related to field operations unexpectedly continues for more than one year;

(b) Where a special project in the field or at a Headquarters duty station unexpectedly continues for more than one year;

(c) Where operational needs related to field operations, including special political missions, unexpectedly continue for more than the initial period of 364 days.

15.2 Under no circumstances shall the continuous period on a temporary appointment exceed 729 days.

15.3 A recommendation for an exceptional extension of a temporary appointment leading to continuous service of one year or more shall be sent by the programme

[1] Not applicable to staff governed by the AIIC/AITC agreements, to whom section 13 applies.

manager to the Executive Office or the local human resources office, as appropriate. It shall be accompanied by a written justification, which must be consistent with the provisions of the present instruction. The Executive Office or the local human resources office shall decide whether or not the recommendation will be approved.

Special conditions of service for temporary appointments exceptionally extended beyond 364 days

Annual leave

15.4 A staff member whose temporary appointment has been exceptionally extended beyond the initial period of 364 days pursuant to staff rule 4.12 (b) and under the circumstances specified in section 15.1 above, may accumulate and carry forward up to 18 working days of annual leave by 1 April of any year or such other date as the Secretary-General may set for a duty station. Upon separation, pursuant to staff rule 9.9 and subject to staff rule 4.17 (b), any accrued annual leave not utilized by the end of the temporary appointment may be commuted in a sum of money for the period of such accrued annual leave up to a maximum of 18 working days.

Home leave

15.5 A staff member who is internationally recruited pursuant to staff rule 4.5 and whose temporary appointment has been exceptionally extended beyond the initial period of 364 days pursuant to staff rule 4.12 (b) and under the circumstances specified in section 15.1 shall be entitled to home leave in duty stations with a 12 month home leave cycle pursuant to staff rule 5.2 (l), subject to the specific conditions of this entitlement set out in ST/AI/2000/6 and Amend.1, on "Special entitlements for staff members serving at designated duty stations".

Repatriation grant

15.6 A repatriation grant shall be payable to a staff member who has accrued one year or more of continuous service pursuant to annex IV to the Staff Regulations.

Section 16
Termination of a temporary appointment

16.1 A temporary appointment may be terminated in accordance with the Staff Regulations and Rules.

Notice of termination

16.2 A staff member whose temporary appointment is to be terminated shall be given not less than 15 calendar days' written notice of such termination or such written notice as may otherwise be stipulated in the letter of appointment, provided that in the latter case the notice also grants a minimum of 15 calendar days.

16.3 In lieu of the notice period, the Secretary-General may authorize compensation equivalent to salary, applicable post adjustment and allowances corresponding to the relevant notice period at the rate in effect on the last day of service.

Termination indemnity

16.4 Staff members holding temporary appointments shall be paid a termination indemnity in accordance with staff regulation 9.3 (c), annex III to the Staff Regulations, staff rule 9.8 and the staff member's letter of appointment.

16.5 Staff members holding a temporary appointment of less than six months shall not be paid a termination indemnity unless such payment is stipulated in the letter of appointment. Such termination indemnity shall not exceed an amount equivalent to one week's pay for each month of uncompleted service.

Section 17
Final provisions

17.1 The present administrative instruction shall enter into force on its date of issuance.

17.2 Administrative instructions ST/AI/295 and Amend.1 of 19 November 1982 and ST/AI/274 and Corr.1 of 30 June 1980 are hereby abolished.

(*Signed*) Angela **Kane**
Under-Secretary-General for Management